



National Aeronautics and
Space Administration

Principal Center for Regulatory Risk Analysis and Communication

Regulatory Tracking Summary

24 September 2010

This report summarizes regulatory items reviewed by the NASA RRAC PC. Items that appeared to have limited interest to the NASA community, or are provided for information only, are shown in light gray text. Notes and comments by the RRAC PC are shown in bold, blue text under "Description." Related documents and citations, such as "71 FR 51967," are linked to the appropriate document for quick access. Suggested follow-up actions are noted with significant items; users are advised that other follow-up actions may be appropriate for their program or facility. Previous issues of this regulatory summary are archived on the RRAC PC website at <http://www.nasa.gov/offices/rrac/home/>. Comments, questions, suggestions, and requests for further information should be directed to the RRAC PC Manager, Sharon Scroggins at 256-544-7932 (sharon.scroggins@nasa.gov).

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Acronyms

AAC = Alabama Administrative Code	MLPA = Marine Life Protection Act
AB = Assembly Bill	NAAQS = National Ambient Air Quality Standards
ADEM = Alabama Department of Environmental Management	NASA = National Aeronautics and Space Administration
ANSI = American National Standards Institute	NESHAP = National Emission Standards for Hazardous Air Pollutants
APC = Air Pollution Control	NO _x = Nitrogen oxide
ARB = Air Resources Board	NPDES = National Pollutant Discharge Elimination System
AVAQMD = Antelope Valley Air Quality Management District	NSPS = New Source Performance Standard
BAAQMD = Bay Area Air Quality Management District	NSR = New Source Review
CADDIS = Causal Analysis/Diagnosis Decision Information System	OSFM = Office of the State Fire Marshal
CAP = Clean Air Plan	OSHA = Occupational Safety and Health Administration
CCR = <i>California Code of Regulations and Colorado Code of Regulations</i>	PHG = Public health goal
CEC = California Energy Commission	PM = Particular matter
CFR = <i>Code of Federal Regulations</i>	PM _{2.5} = Particular matter with an aerodynamic equivalent diameter of 2.5 microns or less
chRD = Child-specific reference dose	PM ₁₀ = Particular matter with an aerodynamic equivalent diameter of 10 microns or less
CO ₂ = Carbon dioxide	ppb = Parts per billion
COMAR = <i>Code of Maryland Regulations</i>	ppt = Parts per trillion
CPUC = California Public Utilities Commission	PSD = Prevention of significant deterioration
CRNR = <i>California Regulatory Notice Register</i>	RAC = Committee for Risk Assessment
DAR = Division of Administrative Rules	RIN = Regulatory Identification Number
DEQ = Department of Environmental Quality	RRAC PC = Principal Center for Regulatory Risk Analysis and Communication
DOE = U.S. Department of Energy	SB = Senate Bill
ECHA = European Chemicals Agency	SIP = State Implementation Plan
EKAPCD = Eastern Kern Air Pollution Control District	SJRWMD = St. Johns River Water Management District
EPA = U.S. Environmental Protection Agency	SJVUAPCD = San Joaquin Valley Unified Air Pollution Control District
ERP = Environmental resource permit	SNUR = Significant new use rule
F.A.C. = Florida Administrative Code	SO _x = Sulfur oxide
FAW = <i>Florida Administrative Weekly</i>	TCEQ = Texas Commission on Environmental Quality
FIFRA = Federal Insecticide, Fungicide and Rodenticide Act	TCDD = Tetrachlorodibenzo-p-dioxin
FR = <i>Federal Register</i>	TDCP = Tris[2-chloro-1-(chloromethyl)ethyl] phosphate
GHG = Greenhouse gas	TMDL = Total maximum daily load
GISO = General industrial safety order	UAC = Utah Administrative Code
GRC = Glenn Research Center	UL = Underwriters Laboratories, Inc.
ISOR = Initial statement of reason	U.S. = United States
LAC = Louisiana Administrative Code	VAC = Virginia Administrative Code
LDEQ = Louisiana Department of Environmental Quality	VA.R. = <i>Virginia Register</i>
LPDES = Louisiana Pollutant Discharge Elimination System	VDEQ = Virginia Department of Environmental Quality
MAF = Michoud Assembly Facility	VOC = Volatile organic compound
MDE = Maryland Department of the Environment	VST = Vapor systems technology
MIR = Maximum incremental reactivity	

1.0 U.S. Federal Regulatory Review

1.1 Federal Register Summary

This summary includes FR items that were reviewed for potential impacts to NASA Centers and Programs.

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
FED09242010-1	Air Audit Samples	09/13/2010	75 FR 55635	Final Rule	U.S. Environmental Protection Agency Restructuring of the Stationary Source Audit Program [40 CFR Parts 51, 60, 61 and 63] Amends regulations pertaining to stationary source emissions testing and monitoring to allow accredited providers to supply stationary source audit samples. Requires sources to obtain and use these samples from the accredited providers instead of from EPA, as is the current practice. Effective 10/13/2010. [RIN 2060-AP23]	
FED09242010-2	Air GHGs	09/22/2010	75 FR 57669	Final Rule	U.S. Environmental Protection Agency Mandatory Reporting of Greenhouse Gases [40 CFR Part 98] Amends the Mandatory Reporting of the GHGs Rule to require reporters subject to the rule to provide: <ul style="list-style-type: none"> Name, address, and percentage ownership of their U.S. parent company(s) Their primary North American Industry Classification System code(s) as well as all additional applicable North American Industry Classification System code(s) An indication of whether or not any of their reported emissions are from a cogeneration unit Also corrects an editorial error. Effective 11/22/2010. [RIN 2060-AQ02]	
FED09242010-3	Air NAAQS-NO _x , SO _x	09/21/2010	75 FR 57463	Notice	U.S. Environmental Protection Agency Review of the Secondary National Ambient Air Quality Standards for Oxides of Nitrogen and Oxides of Sulfur Notice of availability a draft report, Policy Assessment for the Review of the Secondary National Ambient Air Quality Standards for Oxides of Nitrogen and Oxides of Sulfur: Second External Review Draft . Comments due 11/12/2010.	
FED09242010-4	Air NAAQS-Ozone	09/20/2010	75 FR 57220	Notice	U.S. Environmental Protection Agency Rule To Implement the 1997 8-Hour Ozone National Ambient Air Quality Standard: New Source Review Anti-Backsliding Provisions for Former 1-Hour Ozone Standard--Public Hearing Notice [40 CFR Part 51] Announces a public hearing for proposed Ozone NAAQS antibacksliding requirements (75 FR 51960 , 08/24/2010). Hearing to be held 10/12/2010 in Washington, D.C. [RIN 2060-AP30]	

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
FED09242010-5	Climate Policy	09/22/2010	75 FR 57739	Notice	<p>National Oceanic and Atmospheric Administration</p> <p>Notice of Availability of a Draft Climate Service Strategic Vision and Framework for Public Review, and Notice of Informational Webinar Meetings</p> <p>Notice of availability of a Draft National Oceanic and Atmospheric Administration Climate Service Strategic Vision and Framework. Document outlines how the Climate Service can achieve new strategic goals related to the delivery and development of reliable, timely, and authoritative climate science and service. Also announces a series of informational webinars. Comments due 10/18/2010.</p>	
FED09242010-6	Energy Offshore Wind Energy	09/20/2010	75 FR 57271	Notice	<p>Office of Energy Efficiency and Renewable Energy, Department of Energy</p> <p>Creating an Offshore Wind Industry in the United States: A National Vision</p> <p>Notice of a series of public events to exchange information about development of offshore wind energy. Solicits comments on the draft document entitled: Creating an Offshore Wind Industry in the United States: A Strategic Work Plan for the United States Department of Energy, Fiscal Years 2011-2015. The following events are planned:</p> <ul style="list-style-type: none"> ▪ Webinar, 09/16/2010 ▪ Seminar, 09/21/2010 in Cleveland, Ohio ▪ Seminar, 09/28/2010 in Washington, D.C. <p>Comments due 10/29/2010.</p> <p>Further information may be found on the Wind Powering America website.</p>	
FED09242010-7	Energy Conservation Battery Chargers, External Power Supplies	09/15/2010	75 FR 56021	Notice	<p>Office of Energy Efficiency and Renewable Energy, Department of Energy</p> <p>Energy Conservation Standards for Battery Chargers and External Power Supplies: Public Meeting and Availability of the Preliminary Technical Support Document [10 CFR Part 430]</p> <p>Announces a public meeting to discuss the following:</p> <ul style="list-style-type: none"> ▪ Product classes being analyzed for establishing or amending energy conservation standards for certain external power supplies and battery chargers ▪ Analytical framework, models, and tools being used to evaluate standards for these products ▪ Results of preliminary analyses performed for these products ▪ Potential energy conservation standard levels derived from these analyses <p>Also solicits written comments. An agenda, a preliminary technical support document, and briefing materials are available online. Public meeting to be held 10/13/2010 in Washington, D.C. Comments due 10/15/2010. [RIN 1904-AB57]</p>	

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
FED09242010-8	Explosives and Blasting Agents	09/16/2010	75 FR 56489	Notice	<p>Bureau of Alcohol, Tobacco, Firearms, and Explosives, Department of Justice</p> <p>Separation Distances of Ammonium Nitrate and Blasting Agents From Explosives or Blasting Agents [27 CFR Part 555]</p> <p>Advance notice of proposed rulemaking to amend the regulations to replace a reference to an outdated guidance document regarding separation distances of ammonium nitrate fertilizer from explosives or blasting agents. Comments due 12/15/2010. [RIN 1140-AA27]</p>	
FED09242010-9	Hazardous Materials Transportation Special Permits	09/22/2010	75 FR 57831	Notice	<p>Office of Hazardous Materials Safety, Pipeline and Hazardous Materials Safety Administration, Department of Transportation</p> <p>List of applications for Special Permits. Includes the following:</p> <ul style="list-style-type: none"> ▪ Application number 15132-N, NASA, Washington, D.C. To authorize the transportation in commerce of certain gases in alternative packaging when transported by motor vehicle. <p>Comments due 10/22/2010.</p>	
FED09242010-10	Risk Analysis	09/24/2010	75 FR 58374	Notice	<p>U.S. Environmental Protection Agency</p> <p>2010 Release of CADDIS (Causal Analysis/Diagnosis Decision Information System)</p> <p>Announces the public release of the 2010 version of the CADDIS. Web site was developed to help scientists find, develop, organize, and use environmental information to improve causal assessments of biological impairment.</p>	
FED09242010-11	Sustainability Sustainable Products	09/16/2010	75 FR 56528	Notice	<p>U.S. Environmental Protection Agency</p> <p>EPA's Role in Advancing Sustainable Products</p> <p>Solicits stakeholder input regarding EPA's role in advancing sustainable products. Information gathered will be used to develop a strategy that identifies how EPA can make a meaningful contribution to the development, manufacture, designation, and use of sustainable products. Comments due 10/19/2010.</p>	
FED09242010-12	Toxic Substances SNUR—Carbon Nanotubes	09/17/2010	75 FR 56880	Final Rule	<p>U.S. Environmental Protection Agency</p> <p>Multi-Walled Carbon Nanotubes and Single-Walled Carbon Nanotubes; Significant New Use Rules [40 CFR Parts 9 and 721]</p> <p>Issues significant new use rules for multi-walled carbon nanotubes and single-walled carbon nanotubes. Requires persons who intend to manufacture, import, or process either of these substances for a use that is designated as a significant new use to notify EPA at least 90 days before commencing that activity. Effective 10/18/2010. [RIN 2070-AB27]</p>	

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
FED09242010-13	Water Analytical Methods	09/23/2010	75 FR 58023	Proposed Rules	<p>U.S. Environmental Protection Agency Guidelines Establishing Test Procedures for the Analysis of Pollutants Under the Clean Water Act; Analysis and Sampling Procedures [40 CFR Parts 136, 260, 423, 430, and 435]</p> <p>Proposes changes to analysis and sampling test procedures in wastewater regulations. Will provide increased flexibility to the regulated community and laboratories in the selection of analytical methods. Also proposes the following:</p> <ul style="list-style-type: none"> ▪ Changes to clarify the process for approval for use of alternate procedures ▪ Minimum quality control requirements to improve consistency across method versions ▪ Corrections to previously approved methods ▪ Changes to sample collection, preservation, and holding time requirements ▪ Changes to how methods are cited in three effluent guideline regulations <p>Comments due 11/22/2010. [RIN 2040-AF09]</p>	

1.2 Other News and Developments

1.2.1 ECHA RAC Proposes Substance as a Carcinogen

On 3 September 2010, the Committee for Risk Assessment (RAC) of the European Chemicals Agency (ECHA) unanimously agreed to recommend classifying tris[2-chloro-1-(chloromethyl)ethyl] phosphate (TDCP) as a carcinogen across Europe. TDCP, which is most commonly used as a flame retardant, has no current harmonized classification at the European Union level.

The RAC is responsible for providing scientific opinions regarding classification, labeling, and risks of chemicals to ECHA. The final decision for classification and labeling of chemicals is taken by the European Commission. The official [opinion](#) to classify TDCP as a carcinogen and more information about [RAC](#) can be found on the ECHA [website](#).

1.2.2 White House Releases Federal Agency Strategic Performance Plans

On 9 September 2010, the White House released the Federal Agency Strategic Sustainability Performance Plans from every federal agency. Federal agencies were required to develop Federal Agency Strategic Sustainability Performance Plans as part of their implementation of Executive Order 13514, Federal Leadership in Environmental, Energy and Economic Performance. The Strategic Sustainability plans contain prioritized actions to meet energy, water, and waste reduction targets, based on a positive return on investment. This is the first time agencies have developed and submitted Sustainability Plans. The plans may be viewed on the Council on Environmental Quality [website](#).

1.2.3 Installation of Cool Roofs on DOE and Federal Government Buildings

President Obama issued [Executive Order 13514](#) to reduce GHG emissions by 28 percent by 2020. The Secretary of Energy has issued a [memo](#) stating that the DOE and federal government should be leading the nation in more sustainable building practices. The [DOE](#) has identified the installation of cool roofs as a cost-effective means of improving building efficiency, reducing

cooling costs, and offsetting carbon emissions. The Secretary of Energy has directed all DOE offices to install cool roofs when cost effective for existing buildings or during replacement or new construction projects. [Guidance](#) has been provided to assist agencies in identifying cool roof options for implementation at their facilities.

1.3 Regulatory Communication Working Group Updates

Regulatory Communication Working Group calls in 2010 will be held on the following Wednesdays at 12 p.m. CT:

- 13 October
- 24 November
- 15 December

2.0 State Regulatory Reviews

The following sections provide details about the regulatory actions reviewed for selected states in which NASA facilities and related operations are located.

2.1 Alabama State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Alabama.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
AL09242010-1	Air SIP	09/21/2010	75 FR 57390	Final Rule	<p>U.S. Environmental Protection Agency</p> <p>Approval and Promulgation of Implementation Plans; Alabama: Volatile Organic Compounds [40 CFR Part 52]</p> <p>Approves a revision to the Alabama SIP to modify the definition of VOCs found at AAC 335-3-1-.02(gggg). Two compounds (propylene carbonate and dimethyl carbonate) are excluded from the VOC definition. Effective on 11/22/2010 unless EPA receives relevant adverse comments by 10/21/2010.</p>	
AL09242010-2	General Administrative	09/19/2010	ADEM Public Notice 180	Notice	<p>Alabama Department of Environmental Management</p> <p>Departmental Forms, Instructions, and Procedures [AAC 335-1-.7]</p> <p>Announces a hearing to discuss proposed updates to ADEM forms, including but not limited to the following:</p> <ul style="list-style-type: none"> ▪ Form 302–Threshold Planning Quantities ▪ Form 107–Permit Application for Stationary Internal Combustion Engines ▪ Form 16–Annual Recycling Report ▪ Form 14–Information Needed for 316(b) Determination in Regards to General NPDES Permits <p>Copies of the proposed rule are available on the ADEM website. Public hearing is scheduled for 11/04/2010 at ADEM.</p>	
AL09242010-3	Water NPDES	09/15/2010	ADEM Public Notice 210	Notice	<p>Alabama Department of Environmental Management</p> <p>Application for NPDES Permit</p> <p>City of Huntsville applied for reissuance of NPDES Permit Number AL0057428, for Huntsville Chase #3 Wastewater Treatment Plant. The permit regulates the discharge of treated domestic and industrial wastewater and stormwater runoff to the Flint River. Comments due 10/15/2010.</p>	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
AL09242010-4	Water Water Supply	09/19/2010	ADEM Public Notice 240	Notice Hearing	Alabama Department of Environmental Management Water Supply [AAC 335-7] Announces a hearing to discuss proposed administrative and clarifying changes in the following water supply regulations: <ul style="list-style-type: none"> Primary drinking water standards [335-7-2] Permit requirements and procedures [335-7-4] Groundwater sources and treatments [335-7-5] Surface water and treatment [335-7-6] Distribution of drinking water [335-7-7] Control of copper and lead [335-7-11] Copies of the proposed rule are available on the ADEM website . Public hearing is scheduled for 11/04/2010 at ADEM.	

2.2 California State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in California. Citations of the [CRNR](#) are linked to the appropriate volume of the Register, which is published in Adobe Acrobat (pdf) file format.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CA09242010-1	Air	09/17/2010	CRNR 2010, 38z, p. 1520	Final Rule	Air Resources Board Tables of MIR [17 CCR 94700-1] Updates the table of MIR values for various organic compounds and mixtures and for various types of hydrocarbon solvents. Also adds hundreds of new compounds to the table of MIR values. Effective 10/02/2010.	
CA09242010-2	Air California Cap and Trade Program	07/29/2010	Public Notice, ARB Website	Notice	Air Resources Board Global Warming Solutions Act of 2006 [AB 32] Announces an updated approach on how offsets can be used in the California Cap and Trade Program. Updates address stakeholder comments that were submitted at the 06/22/2010 and 06/23/2010 workshops. Further details about the updated approach are available in the public notice .	
CA09242010-3	Air Indoor Air Quality	09/23/2010	CRNR 2010, 39z, p.1541	Final Rule	Air Resources Board Indoor Air Cleaning Devices 2009 [17 CCR 94801, 94804, 94805, and 94806] Finalizes the following amendments: <ul style="list-style-type: none"> Extends the impending deadline for labeling the packaging of indoor air cleaners by 18 months; Updates the ANSI and UL standard for evaluation of ozone from such devices by including three new Certification Requirement Decisions published by UL; Adds four ANSI and UL standards for evaluating the electrical safety of multi-function devices that clean indoor air; and Provides for the electrical safety evaluation of such devices by nationally recognized testing laboratories under a broader range of federally established testing programs. Effective 10/09/2010	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CA09242010-4	Air SIP	09/22/2010	75 FR 57862	Final Rule	U.S. Environmental Protection Agency Revisions to the California State Implementation Plan, San Joaquin Valley Unified Air Pollution Control District Finalizes approval of revisions to the SJVUAPCD portion of the SIP. These revisions concern VOC emissions from refinery vacuum producing systems and process unit turnaround. Effective 10/25/2010.	
CA09242010-5	Energy Renewable Portfolio Standard	08/18/2010	Public Notice, CEC Website	Notice	California Energy Commission Renewable Energy [SB 1078] Announces the availability of the Renewables Portfolio Standard 2006 Verification Report . CEC performs the verification of the retail sellers claims of eligible renewable energy procured. This information is provided to the CPUC that creates the rules.	
CA09242010-6	Energy Renewable Portfolio Standard	08/19/2010	Public Notice, CEC Website	Notice	California Energy Commission Renewable Energy [SB 1078] Announces the availability of the Renewables Portfolio Standard Eligibility Draft Staff Guidebook and Renewable Energy Program Overall Program Draft Staff Guidebook . Renewable energy must be eligible according to these guidance documents before retail sellers can claim these renewable procurements toward meeting their 20-percent renewable energy requirement.	
CA09242010-7	Occupational Safety	09/17/2010	CRNR 2010, 38z, p. 1521	Final Rule	Occupational Safety and Health Standards Board Application [8 CCR 1502] Updates a reference to "Compressed Air Safety Orders" to reflect the reorganization and renaming of the standard as a group within GISO "Pressurized Worksite Standards." Effective 09/01/2010.	
CA09242010-8	Occupational Safety Hexavalent Chromium Exposure Limits	09/23/2010	CRNR 2010, 39z, p.1543	Final Rule	Occupational Safety and Health Standards Board Employee Notification Regarding Chromium (VI) Exposure Determinations [8 CCR 1532.2(d)(4)(A), 5206(d)(4)(A), and 8359(d)(4)(A)] Updates sections of the California Code of Regulations to conform with federal OSHA's final rule for occupational exposure to hexavalent chromium. Effective 09/13/2010.	
CA09242010-9	Proposition 65 Paraquat	09/24/2010	CRNR 2010, 39z, p. 1539	Notice	Office of Environmental Health Hazard Assessment Extension of Public Comment Period Regarding Child-Specific Reference Dose (chRD) for Paraquat Extends the comment period on the final draft report, Development of Health Criteria for School Site Risk Assessment Proposed chRD for Paraquat . Comments due 11/16/2010.	
CA09242010-10	Proposition 65 S,S,S-Tribufos	09/24/2010	CRNR 2010, 39z, p. 1539	Notice	Office of Environmental Health Hazard Assessment Extension of Public Comment Period Regarding S,S,S-Tributyl Phosphorotrithioate Extends the public comment period (CRNR, 2010, 33z, 08/13/2010) for Tribufos or DEF to 10/13/2010.	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CA09242010-11	Protected Areas Marine	09/17/2010	CRNR 2010, 38z, p. 1470	Proposed Rule	U.S. Fish and Game Commission Marine Protected Areas [14 CCR 632] Proposes preparation of a master plan and adoption of regulations based on the plan to achieve the MLPA goals for the south coast region, defined as state waters from Point Conception in Santa Barbara County to the California-Mexico border. Hearing is scheduled for 10/20/2010 in San Diego, California. Comments due 12/13/2010.	
CA09242010-12	Toxic Substances Consumer Products	09/17/2010	CRNR 2010, 38z, p. 1501	Proposed Rule	Department of Toxic Substances Control Safer Consumer Product Alternatives [22 CCR 69301-12] Proposes a process to identify and evaluate chemicals of concern in consumer products and to identify safer alternatives and impose responses after completion of the alternatives analysis process. Text of proposed regulations and ISORs are available. Hearing is scheduled for 11/01/2010 in Sacramento, California. Comments due 11/01/2010.	
CA09242010-13	Water Drinking Water PHGs	09/17/2010	CRNR 2010, 38z, p. 1519	Notice	Office of Environmental Health Hazard Assessment Final Public Health Goals for Benzo(a)pyrene, Methoxychlor, and TCDD in Drinking Water Announces the publication of the final technical support documents for the PHGs for benzo(a)pyrene , methoxychlor , and TCDD in drinking water. The final PHGs are as follows: <ul style="list-style-type: none"> ▪ Benzo(a)pyrene is 0.007 ppb ▪ Methoxychlor is 0.09 ppb ▪ TCDD is 0.00005 ppt. 	

2.2.1 California Air Districts Regulatory Review

2.2.1.1 Antelope Valley Air Quality Management District

This summary includes items that were reviewed for potential impacts to NASA-related operations in [Antelope Valley Air Quality Management District](#).

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CAA09242010-1	Air Vapor Recovery	09/13/2010	Public Notice, AVAQMD Website	Notice	Antelope Valley Air Quality Management District VST Phase II Enhanced Vapor Recovery System [Executive Order VR-203] Announces that the hold-open latch used on gasoline-dispensing nozzles must be removed to meet system certification requirements. A revised certification from the OSFM initiated this equipment change requirement. Effective 08/24/2010. An informational bulletin is available on the OSFM website.	

2.2.1.2 Bay Area Air Quality Management District

This summary includes items that were reviewed for potential impacts to NASA-related operations in [Bay Area Air Quality Management District](#).

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CAB09242010-1	Air Control Strategy	09/17/2010	Plan, BAAQMD Website	Final Plan	Bay Area Air Quality Management District Clean Air Plan Finalizes the CAP that updates the 2005 Ozone Strategy Plan. The CAP defines a control strategy that: <ul style="list-style-type: none"> Reduce emissions of ozone precursors, PM, air toxics, and GHGs. Continue progress toward attainment of state ozone standards. Reduce transport of ozone precursors to neighboring air basins. Protect public health by reducing population exposure to the most harmful air pollutants. Protect the climate. Effective 09/15/2010.	

2.2.1.3 Eastern Kern Air Pollution Control District

This summary includes items that were reviewed for potential impacts to NASA-related operations in [Eastern Kern Air Pollution Control District](#).

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CAE09242010-1	Air Permits	09/17/2010	Public Notice, EKAPCD Website	Notice Workshop	Eastern Kern Air Pollution Control District Definitions [Rule 102], Permit Exemptions [Rule 202], New Source Performance Standards [Rule 422], NESHAPs and Source Categories [Rule 423], and Aerospace Assembly and Coating Operations [Rule 432] Announces a public workshop to present, discuss and receive comments on proposed revisions to Rule 102, 202, 422 and 423. New Rule 432 also is being proposed. Staff reports are available to describe revisions for each rule. Public workshop is scheduled for 10/14/2010 in Mojave, California. Comments due 11/15/2010.	

2.2.1.4 Mojave Desert Air Quality Management District

No regulatory items of interest were identified during this reporting period for the [Mojave Desert Air Quality Management District](#).

2.2.1.5 South Coast Air Quality Management District

No regulatory items of interest were identified during this reporting period for the [South Coast Air Quality Management District](#).

2.2.1.6 Ventura County Air Pollution Control District

No regulatory items of interest were identified during this reporting period for the [Ventura County Air Pollution Control District](#).

2.3 Colorado State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA related operations in Colorado.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CO09242010-1	Air SIP	09/17/2010	75 FR 56935	Proposed Rule	U.S. Environmental Protection Agency Approval and Promulgation of Air Quality Implementation Plans [40 CFR Part 52] Proposes to approve the Colorado SIP to meet the requirements of the Clean Air Act Section 110(a)(2)(D)(i)(I)–Interstate Transport Regarding the 1997 8-hour Ozone Standard addressing the "interference with maintenance" requirement. Proposes to prohibit a state's emissions from interfering with maintenance of the 1997 8-hour ozone NAAQS by any other state. Comments due 10/18/2010.	

2.4 Florida State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Florida.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
FL09242010-1	Air Ambient Air Quality Standards	09/17/2010	FAW Notice #9089790	Notice Development of Rulemaking	Florida Department of Environmental Protection Air Pollution Control–General Provisions [Chapter 62-204.100 F.A.C.] Proposes to develop a rule to revise ambient air quality standards and nonattainment area designations for implementation of new NAAQS. Changes will remove excess language, revise definitions, and simplify nonattainment designations to align with federal rules. The development workshop is 10/20/2010 in Tallahassee, Florida, or can be attended via GOTO Webinar .	
FL09242010-2	Air Operation Permits	09/17/2010	FAW Notice #8948946	Notice Development of Rulemaking	Florida Department of Environmental Protection Operation Permits for Major Sources of Air Pollution [Chapter 62-213 F.A.C.] Proposes amendments to transfer general permits for six source categories from the Title V air general permit program to the non-Title V permit program. Amendments would also clarify when Title V permit revisions are required. The development workshop is 10/20/2010 in Tallahassee, Florida, or can be attended via GOTO Webinar .	
FL09242010-3	Air Stationary Sources–NSR	09/17/2010	FAW Notice #9116562	Notice Development of Rulemaking	Florida Department of Environmental Protection Stationary Sources-General Requirements [Chapter 62-210 F.A.C.] Proposes amendments to incorporate the effective elements of EPA's 12/31/2002 "new source review reform" rule into the state's nonattainment area preconstruction review program. The development workshop is 10/20/2010 in Tallahassee, Florida, or can be attended via GOTO Webinar .	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
FL09242010-4	Air Stationary Sources-NSR	09/17/2010	FAW Notice #9116465	Notice Development of Rulemaking	Florida Department of Environmental Protection Stationary Sources - Preconstruction Review [Chapter 62-212 F.A.C.] Proposes amendments to incorporate the effective elements of EPA's 12/31/2002 "new source review reform" rule into the state's nonattainment area preconstruction review program. Amendments would also update references from PM ₁₀ to PM _{2.5} . The development workshop is 10/20/2010 in Tallahassee, Florida, or can be attended via GOTO Webinar .	
FL09242010-5	Air Stationary Sources-Permits	09/17/2010	FAW Notice #8948849	Notice Development of Rulemaking	Florida Department of Environmental Protection Stationary Sources-General Requirements [Chapter 62-210 F.A.C.] Proposes amendments to transfer general permits for six source categories from the Title V air general permit program to the non-Title V permit program. Amendments also would revise definitions, expand exemption criteria, clarify when air permits are required, clarify general permit rule language, and streamline registration forms. The development workshop is 10/20/2010 in Tallahassee, Florida, or can be attended via GOTO Webinar .	
FL09242010-6	Endangered Species Wood Stork	09/21/2010	75 FR 57426	Notice	U.S. Fish and Wildlife Service 90-Day Finding on a Petition To Reclassify the U.S. Breeding Population of Wood Storks From Endangered to Threatened [50 CFR Part 17] Announces a 90-day review to determine if the breeding population of the wood stork (<i>Mycteria americana</i>) should be reclassified from endangered to threatened. Submit information by 11/22/2010 to the Federal eRulemaking Portal .	
FL09242010-7	Radiation Control	09/17/2010	FAW Notice #9117241	Notice Meeting	Florida Department of Health Bureau of Radiation Control Advisory Council on Radiation Protection meets to discuss radiation doses, radiation protection, or other issues associated with working with radiation. Meeting is 10/5/2010 in Orlando, Florida.	
FL09242010-8	Water Discharge Contingency Plan	09/24/2010	FAW Notice #9175732	Notice Development of Rulemaking	Florida Department of Environmental Protection Terminal Facility Discharge Contingency Plan [Chapter 62N-16.033 F.A.C.] Proposes to amend the vessel contingency plan requirements and remove repealed references. Instead, vessels that are also a terminal facility would be required to have a plan in compliance with the federal ship-specific discharge contingency plan. A workshop will be held upon request.	
FL09242010-9	Water SJRWMD	09/24/2010	FAW Notice #9168263	Notice Development of Rulemaking	St. Johns River Water Management District Environmental Resource Permits [Chapter 40C-40, F.A.C.] Proposes to: <ul style="list-style-type: none"> ▪ Require ERP applicants of projects that need a consumptive use permit to submit the applications concurrently. ▪ Clarify the circumstances when standard ERPs are available. ▪ Revise the ERP application form. ▪ Update statutory authority. Meeting is scheduled for 10/21/2010 in Palatka, Florida.	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
FL09242010-10	Water SJRWMD	09/24/2010	FAW Notice #9174180	Notice Meeting	St. Johns River Water Management District Projects and Land Committee Announces a business meeting to discuss agenda items, followed by Committee recommendations to be approved by the Full Governing Board. Scheduled for 10/11/2010 in Palatka, Florida.	
FL09242010-11	Water SJRWMD	09/24/2010	FAW Notice #9174665	Notice Meeting	St. Johns River Water Management District Announces a public meeting to discuss regulatory and non-regulatory matters. Scheduled for 10/12/2010 in Palatka, Florida.	

2.5 Louisiana State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Louisiana.

Tracking Number.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
LA09242010-1	Water LPDES Permits	09/20/2010	WQ082	Proposed Rule	Louisiana Department of Environmental Quality Removal of Pesticide Application Exemption from LPDES Permitting Requirements (LAC 33:IX.2315.A.8.a-b) Proposes to suspend LAC 33:IX.2315.A.8, which is identical to the 2006 NPDES Pesticide Rule 40 CFR 122.3 (h) that was vacated by the 01/09/2009 court decision. It will eliminate the exemption which states that a LPDES permit is not needed when applying a pesticide in accordance with the FIFRA label. The suspension of the state rule will require LDEQ to issue a general permit for the application of pesticides in Louisiana. A public hearing will be held on 10/27/2010 in Baton Rouge, Louisiana. Comments due 11/03/2010. Effective 04/09/2011.	MAF should consider reviewing the regulation to determine potential impacts.

2.6 Maryland State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Maryland.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
MD09242010-1	Water TMDL for Chesapeake Bay	09/22/2010	75 FR 57776	Notice	U.S. Environmental Protection Agency Clean Water Act Section 303(d): Notice for the Public Review of the Draft Total Maximum Daily Load for the Chesapeake Bay Announces availability of the Draft Chesapeake Bay TMDL for nutrients (nitrogen and phosphorus) and sediment for each of the 92 segments in the tidal portion of the Chesapeake Bay watershed. A series of public meetings and webinars will be held beginning 09/29/2010. More information, including the draft TMDL, schedule and location of the meetings, is available on the website . Comments due 11/08/2010.	

2.6.1 MDE Regulations in Development

MDE is in the process of developing the following regulations:

- **Aboveground Tanks**, which regulates petroleum aboveground storage systems, including their design, location, pollution protections, and material of construction. Target effective date is May 2011. [[COMAR 26.10.01.07 - 24](#)]
- **Spill Reporting**, which cites the level of contamination and timing of reports related to petroleum releases to the MDE. Target effective date is May 2011. [[COMAR 26.10.01.03](#)]

2.7 Mississippi State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Mississippi.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
MS09242010-1	Air GHGs	09/13/2010	Mississippi Administrative Bulletin #17292	Proposed Rule	Mississippi Department of Environmental Quality Air Emission Operating Permit Regulations for the Purposes of Title V of the Federal Clean Air Act [APC-S-6] Proposes to incorporate relevant portions of the EPA's Greenhouse Gas Tailoring Rule to make the state's Title V permitting program consistent with the federal requirements. Public hearing will be held on 10/13/2010 in Jackson, Mississippi. Comments due 10/13/2010.	
MS09242010-2	Air GHGs	09/13/2010	Mississippi Administrative Bulletin #17293	Proposed Rule	Mississippi Department of Environmental Quality Regulations for the Prevention of Significant Deterioration of Air Quality [APC-S-5] Proposes to incorporate by reference relevant portions of federal requirements as promulgated in 40 CFR 51.166, 52.21, and 52.22 to make the state regulations consistent with federal requirements. Proposes to incorporate EPA's Tailoring Rule for Greenhouse Gases, which specifies that beginning in 2011, projects with substantial increases of GHG emissions will require an air permit. Public hearing will be held on 10/13/2010 in Jackson, Mississippi. Comments due 10/13/2010.	
MS09242010-3	Air NSPS and NESHAP	09/13/2010	Mississippi Administrative Bulletin #17293	Proposed Rule	Mississippi Department of Environmental Quality Air Emission Regulations for the Prevention, Abatement, and Control of Air Pollution [APC-S-1] Proposes to adopt by reference the newly promulgated federal NSPS and NESHAP. Public hearing will be held on 10/13/2010 in Jackson, Mississippi. Comments due 10/13/2010.	

2.8 New Mexico State Regulatory Review

No regulatory items of interest were identified during this reporting period for the state of New Mexico.

2.9 Ohio State Regulatory Review

No regulatory items of interest were identified during this reporting period for the state of Ohio.

2.10 Texas State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Texas. Citations of the *Texas Register* are linked within the text to the corresponding entry in the version of the *Texas Register*. Current and historical versions of the *Texas Register* can be downloaded from the [Texas Register section of the Texas Secretary of State website](#).

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
TX09242010-1	Air Texas SIP	09/15/2010	75 FR 56423	Final Rule	U.S. Environmental Protection Agency Approval and Promulgation of Implementation Plans; Texas; Revisions to the NSR State Implementation Plan; Nonattainment NSR for the 1-Hour and the 1997 8-Hour Ozone Standard, NSR Reform, and a Standard Permit [40 CFR Part 52] Disapproves the following revisions to the Texas SIP: <ul style="list-style-type: none"> ▪ The Standard Permit for Pollution Control Projects because it does not meet the requirements for a minor NSR Standard Permit program. ▪ The definition of best available control technology that is used by TCEQ in its Minor NSR SIP permitting program. Effective 10/15/2010.	

2.10.1 TCEQ Accepting Nominations for 2011 Texas Environmental Excellence Awards

Nominations are now being accepted for the 2011 Texas Environmental Excellence Awards, the state's highest environmental honor. These annual awards recognize achievements across Texas that significantly reduce waste, conserve natural resources, and prevent pollution. Deadline for applications is 8 October 2010. Award categories include Agriculture, Civic/Community, Education, Individual, Innovative Operations/Management, Pollution Prevention, Technical/Technology, Water Conservation, and Youth. More information is available on the TCEQ [website](#).

2.11 Utah State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA related operations in Utah.

Tracking Number.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
UT09242010-1	Air GHG- Definitions	09/15/2010	UT Bull. Vol. 2010-18: DAR File No. 34052	Proposed Rule	Division of Air Quality; Department of Environmental Quality Definitions [UAC R307-405-3] Proposes adding definitions included in the EPA-issued final rule addressing GHG emissions from stationary sources proposed for incorporation into Utah air quality rules. Public hearing is scheduled for 10/07/2010 at the DEQ Building, Salt Lake City, Utah. Comments due 10/15/2010.	

Tracking Number.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
UT09242010-2	Air GHG- Definitions	09/15/2010	UT Bull. Vol. 2010-18; DAR File No. 34053	Proposed Rule	Division of Air Quality; Department of Environmental Quality Definitions [UAC R307-415-3] Proposes adding definitions that would define the terms "subject to regulation," "GHGs," and "tons per year CO ₂ equivalent." Public hearing is scheduled for 10/07/2010 at the DEQ Building, Salt Lake City, Utah. Comments due 10/15/2010.	
UT09242010-3	Air GHG- Permits	09/15/2010	UT Bull. Vol. 2010-18; DAR File No. 34051	Proposed Rule	Division of Air Quality; Department of Environmental Quality Small Source Exemption [UAC R307-401-9] Proposes the incorporation of federal regulations that set thresholds for GHG emissions that define when permits are required for new and existing industrial facilities under the PSD and Title V Operating Permit programs. Public hearing is scheduled for 10/07/2010 at the DEQ Building, Salt Lake City, Utah. Comments due 10/15/2010.	
UT09242010-4	Occupational Safety Boiler and Pressure Vessels	09/15/2010	UT Bull. Vol. 2010-18; DAR File No. 34023	Proposed Rule	Division of Boiler and Elevator Safety; Utah Labor Commission Deputy Boiler and Pressure Vessel Inspectors [UAC R616-2-15] Proposes new procedures and standards for the appointment of deputy boiler and pressure vessel inspectors, monitoring of their performance, and taking corrective actions against deputy inspectors deemed to be out of compliance. Comments due 10/15/2010.	
UT09242010-5	Occupational Safety Boiler and Pressure Vessels	09/15/2010	UT Bull. Vol. 2010-18; DAR File No. 34027	Proposed Rule	Division of Boiler and Elevator Safety; Utah Labor Commission Inspection of Boilers and Pressure Vessels [UAC R616-2-8] Proposes changes that would clarify the authority of Division of Boiler and Elevator Safety inspectors to enter a property for boiler or pressure vessel inspections and the authority of deputy inspectors employed by insurance companies to enter a property for boiler or pressure vessel inspections. Comments due 10/15/2010.	
UT09242010-6	Occupational Safety Hexavalent Chromium Exposure Limits	09/15/2010	UT Bull. Vol. 2010-18; DAR File No. 34022	Proposed Rule	Occupational Safety and Health Division; Utah Labor Commission Incorporation of Federal Standards [UAC R614-1-4] Proposes the incorporation of the most recent amendments to the federal OSHA standards that revise the notification requirements regarding exposure and exposure tests related to hexavalent chromium. Comments due 10/15/2010.	

2.12 Virginia State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Virginia.

Tracking Number.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
VA09242010-1	Air GHG- Permits	09/16/2010	VDEQ website	Proposed Rule	Virginia Department of Environmental Quality Permits for Stationary Sources of Pollutants Subject to Regulation (9VAC5 Chapter 85) Proposes amendments to incorporate federal revisions for GHG permitting thresholds, as well as definitions for "subject to regulation" and "regulated NSR permit." Comments due 10/22/2010. Public hearing will be held 10/22/2010.	

Tracking Number.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
VA09242010-2	Water Drinking Water	09/13/2010	27:1 Va.R. 9	Final Rule	State Board of Health Waterworks Regulations [12VAC5-590] Amendments incorporate federal lead and copper rule revisions to protect consumers from lead and copper exposure in drinking water, as well as to enhance monitoring, treatment, lead service line replacement, and public education. Effective 10/13/2010.	